



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of

Applicant: Gauthier et al.

Ser. No.: 09/484,548

Filed on: January 18, 2000

For: A MICROWAVE ABLATION INSTRUMENT WITH FLEXIBLE ANTENNA
ASSEMBLY AND METHOD

Docket No.: FMT1P025

Examiner: Isabella, David J.

Art Unit: 3738

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313 on November 28, 2003.

Signed: Ross M. Carothers

Ross M. Carothers

Commissioner for Patents
PO Box 1450
Alexandria, VA

Dear Sir:

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Please find submitted herewith, a Request for Continued Examination (RCE) transmittal and accompanying Amendment B directed to the above-identified patent application. Applicants respectfully submit that the RCE filing is proper since prosecution in the above-identified application is closed and included herewith is a reply to the outstanding Final Office Action.

As noted on the RCE transmittal, Applicants authorize the Director to charge all fees, or credit any overpayments, associated with this filing to Deposit Account No. 50-1894. The fees include the RCE fee required under 37 CFR 1.17(e) and the extension of time fee as indicated on the attached petition for an extension of time. If for any reason the petition should become separated from this reply, the Commissioner is respectfully requested to consider this a petition for any extension of time required to maintain the pendency of this patent application. In this event the Commissioner is also authorized to charge Deposit Account No. 50-1894 for any fee that may be required to maintain the pendency of this patent application

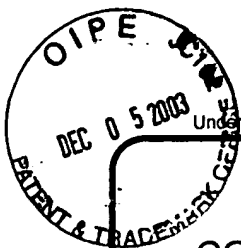
Respectfully Submitted,

By: Ross M. Carothers

Ross M. Carothers
Reg. No. 44,593

Date: 28-Nov-03

AFx inc.
47929 Fremont Blvd.
Fremont, CA 94538
(510) 651-7430
(510) 623-4088 (FAX)



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/484,548
Filing Date	January 18, 2000
First Named Inventor	Gauthier, Jules
Art Unit	3738
Examiner Name	Isabella, David J.
Attorney Docket Number	FMT1P025

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☐ Other

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

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2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 50-1894

- i. ☒ RCE fee required under 37 CFR 1.17(e) 12/09/2003 DTESSEM1 00000044 501894 09484548
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 DA
- iii. ☐ Other

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Ross M. Carothers

Registration No. (Attorney / Agent)

44,593

Signature

Ross M. Carothers

Date

28-Nov-03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)

Ross M. Carothers

Signature

Ross M. Carothers

Date

28-Nov-03

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.